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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



JASON KANDER
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 40—Family Support Division Chapter 13—Blind Pension

EMERGENCY RULE

13 CSR 40-13.030 Adjustment of Blind Pension Payments

PURPOSE: *This regulation establishes the procedure and method by which the Department of Social Services will reduce pension payments to blind pensioners through July 31, 2015, where the funds at the disposal of, or may be obtained by, the department for payment of blind pension payments are insufficient to pay the full pension payment to each person entitled to a blind pension payment as authorized in section 209.040.2, RSMo.*

EMERGENCY STATEMENT: *This emergency rulemaking is necessary to establish the procedure and method for the Department of Social Services to reduce payments to blind pensioners through July 31, 2015. Section 209.040.2, RSMo authorizes the Department of Social Services to reduce the monthly payments to blind pensioners when the funds at the disposal of, or that may be obtained by, the department for the payment of pensions are insufficient to pay the full monthly pension payment to each pensioner as calculated under section 209.040.4, RSMo. The Blind Pension Fund contains the funds appropriated to the department to pay blind pension payments to eligible pensioners. The department has determined that there are insufficient funds at the disposal of the department or that may be*

*obtained by the department to pay full pension payments to eligible pensioners through July 31, 2015. If the pension payments are not promptly reduced, the department expects that there will be insufficient funds to pay pension payments through the end of state fiscal year 2015. The department has therefore determined that it is necessary to promptly reduce payments to pensioners on a pro rata basis as authorized by section 209.040.2, RSMo in order to ensure regular pension payments can be made at a reduced rate through July 31, 2015. The department therefore finds that an immediate danger to the public welfare exists in that blind pensioners may not receive benefit payments if this regulation is not enacted. Further, this rule is necessary to preserve a compelling governmental interest to ensure that blind pensioners continue to receive pension payments. This rule assures fairness to all interested parties under the circumstances in that the department has consulted with and obtained input from representatives of pensioners about implementing this regulation. A proposed rule, which implements the same calculation and process, was published in the September 2, 2014 issue of the *Missouri Register*. The publication has given the public and interested stakeholders an opportunity to comment on this rule. The department took input from representatives of blind pensioners and considered it in drafting this emergency rule. The department received no comments in response to the proposed rule. The published rule shall become effective January 30, 2015. This emergency rule will cover the period between October 18, 2014 and April 15, 2015, when the proposed rule to be published on December 31, 2014, becomes effective. The scope of this emergency rule is limited to the circumstances creating the emergency and complies with the protections extended in the *Missouri* and *United States Constitutions*. The department believes this emergency rule is fair to all interested persons and parties under the circumstances. This emergency rule was filed October 8, 2014, becomes effective October 18, 2014, and expires April 15, 2015.*

(1) Purpose and scope. This regulation establishes the procedure and method by which the Department of Social Services will reduce pension payments to blind pensioners through July 31, 2015, where the funds at the disposal of or may be obtained by the department for payment of blind pension payments are insufficient to pay the full pension payment to each person entitled to a blind pension payment as authorized in section 209.040.2 RSMo.

(2) Definitions. For the purposes of this section—

(A) “Budget reserve fund” means the budget reserve fund established in Art. IV, section 27(a) of the *Missouri Constitution*;

(B) “Cash operating transfers” means cash operating transfers as defined in Art. IV, section 27(a) of the *Missouri Constitution*.

(C) “Department” means the Missouri Department of Social Services;

(D) “Family Support Division” or “FSD” means the Family Support Division of the Department of Social Services;

(E) “Funds at the disposal of the department” means total actual or estimated revenues to the blind pension fund and any balance in the fund at the beginning of a fiscal year; and

(F) “The fund” means the Blind Pension Fund established under Art. III, section 38(b) of the *Missouri Constitution* and administered by the department pursuant to chapters 207, 209, and 660, RSMo.

(3) Methodology.

(A) If at any time during state fiscal year 2015 the department determines that there will be insufficient funds in the blind pension fund to pay the full, pro-rated, blind pension payment to each pensioner that each pensioner is entitled to receive in a calendar month the department may prorate the monthly pension payment utilizing the methodology set forth in this section. To determine whether there are sufficient monies in the blind pension fund the department shall determine whether the total revenues and other revenues which the

department knows or reasonably expects to be deposited in the blind pension fund minus known or anticipated obligations from the fund will be sufficient to pay the full amount of benefits to each blind pensioner until July 31, 2015. If the total amount of estimated, blind pension payments calculated pursuant to section 209.040.4, RSMo plus other obligations from the fund exceeds the funds at the disposal of or which may be obtained by the department for that purpose then the department will calculate the amount of pro rata reduction for each pension payment. The department shall determine whether the total tax revenues and other revenues deposited in the fund minus obligations are sufficient to pay the full amount of benefits to each blind pensioner through the end of the first calendar month following the current fiscal year utilizing the following methodology:

Amount of pension payment reduction = $r = p(1-(a/o))$
 Prorated maximum monthly blind pension payment = $pp = p - r$ where:

p = the blind pension payment for the fiscal year in question calculated according to the formula set forth in section 209.040.4, RSMo;
 a = funds at the disposal of or which may be obtained by the department for payment of benefits for the time period under assessment minus any mandatory legal obligations of the fund other than pension payments; and
 o = the total amount of blind pension payments obligated during the time period under assessment.

If the department determines that there are insufficient monies in the fund to make a full pension payment to each pensioner each month through the end of the current fiscal year, the department shall reduce the amount of each pensioner's pension payment to the pro rated maximum monthly blind pension payment. The monthly, pro rated, blind pension payment to each Supplemental Aid to the Blind (SAB) participant shall be calculated as follows:

Prorated maximum monthly SAB pension payment = $pp - s$

Where:

pp = Prorated maximum monthly blind pension payment calculated above; and
 s = the individual blind pensioner's monthly SSI payment.

The amount of the pension payment reduction shall be rounded up to the nearest dollar.

Example 1: Calculation of pro rata reduction for State Fiscal Year 2014

FY 12 revenues = \$29,500,000
 FY 13 revenues = \$ 29,980,000
 FY 14 expected revenue = (fy2013-fy2012) +
 FY2013 = \$30,460,000
 Monthly maximum grant (p) calculated under
 209.040.4 = \$711
 Beginning fund balance for FY 14 = \$1,000,000
 FY 14 estimated expenditures = \$32,240,000

Expected funds available as of August 1, 2013 =
 (\$31,460,000 - (\$32,240,000/12 months)) =
 \$28,773,333

Estimated expenditures for August 1, 2013
 through June 30, 2014 = (\$32,240,000/12
 months x 11 months) = \$29,553,333

Reduction (r) = $\$711(1-(\$28,773,333/\$29,553,333)) = \19

Prorated maximum monthly pension payment =
 $\$711 - \$19 = \$692$

Example 2: SSI participant with a SSI grant of \$500

Same facts as Example 1

Prorated maximum monthly SAB pension payment
 = $\$692 - \$500 = \$192$

(B) In any month that pensions are not paid under this section any monies shall remain in the blind pension fund unless the treasurer sweeps the fund as authorized by Art. III, section 38(b), and section 209.130, RSMo, or other applicable law.

(C) Cash operating transfers from the budget reserve fund shall not be considered funds at the disposal of the department or which may be obtained by the department for purposes of all calculations under this regulation.

(4) The department shall notify the blind pensioners when it implements a reduction of blind pension payments under this regulation. Notification shall be served on the pensioners no later than forty-five (45) days prior to the effective date of the reduction. The notification shall be mailed to each pensioner at his or her address of record with the blind pension program; or served on the pensioner by e-mail or some other secure, convenient means of electronic transmission if such means is available to the department. The notification shall specify the amount of the reduction in the payment and shall generally describe the reasons for the department's decision. The notice may be provided separately, or it can be included as part of another notice.

(5) Any reduction in the blind pension payments under this regulation is a mass adjustment to the pension payments for all blind pensioners and is not a decision in an individual case. Individual pensioners shall not have the right to administrative review of the decision.

AUTHORITY: section 660.017, RSMo 2000, and sections 207.022.1(5) and 209.040.2, RSMo Supp. 2014. Original rule filed July 28, 2014. Emergency rule filed Oct. 8, 2014, effective Oct. 18, 2014, expires April 15, 2015.

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2014.

EXECUTIVE ORDER 14-12

WHEREAS, I have been advised by the State Emergency Management Agency that severe storm systems beginning on September 9, 2014 and continuing caused damages associated with tornadoes, high winds, heavy rain, flooding, and flash flooding impacting communities throughout the state of Missouri; and

WHEREAS, the severe weather created a condition of distress and hazard to the safety, welfare, and property of the citizens of the state of Missouri beyond the capabilities of some local jurisdictions, and other established agencies; and

WHEREAS, the State of Missouri will continue to be proactive where the health and safety of the citizens of Missouri are concerned; and

WHEREAS, the resources of the state of Missouri have been needed to assist affected jurisdictions and to help relieve the condition of distress and hazard to the safety and welfare of our fellow Missourians; and

WHEREAS, an invocation of the provisions of Sections 44.100 and 44.110, RSMo, is required to ensure the protection of the safety and welfare of the citizens of Missouri.


NOW, THEREFORE, I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and Laws of the state of Missouri, including Section 44.100 and 44.110, RSMo, do hereby declare that a State of Emergency exists in the State of Missouri and directed that the Missouri State Emergency Operation Plan be activated.

I further authorize the use of state agencies to provide assistance, as needed.

This order shall terminate on October 28, 2014, unless extended in whole or in part.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22nd day of October, 2014.



Jeremiah W. (Jay) Nixon
Governor

ATTEST:

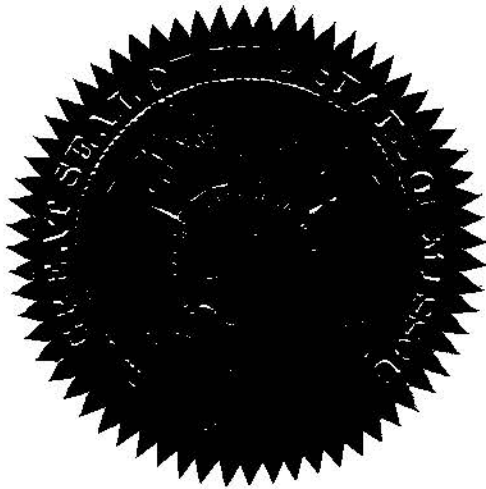


Jason Kander
Secretary of State

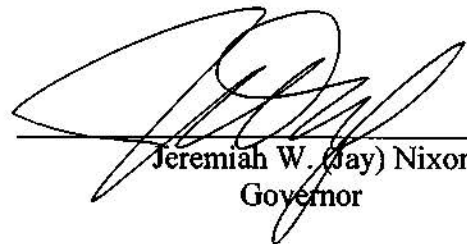
**EXECUTIVE ORDER
14-13**

TO ALL DEPARTMENTS AND AGENCIES:

This is to advise that state offices will be closed on Friday, November 28, 2014.

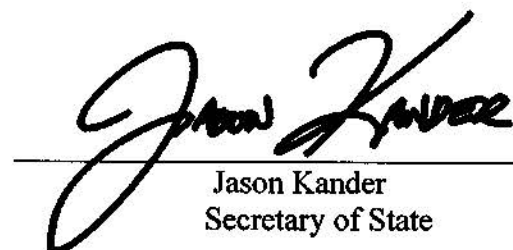


IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 31st day of October, 2014.



Jeremiah W. (Jay) Nixon
Governor

ATTEST:



Jason Kander
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 13—Blind Pension**

PROPOSED RULE

13 CSR 40-13.040 Blind Pension Prescription Drug Coverage

PURPOSE: This rule establishes the basis on which Medicare-eligible blind pension participants will receive prescription drug coverage.

(1) For purposes of this rule, the following definitions shall apply:

(A) "Benchmark plan" means a prescription drug plan with premiums at or below the low-income benchmark premium amount established for the Missouri region annually by the Centers for Medicare and Medicaid Services (CMS) as set forth in 42 CFR section 423.780, including *de minimis* plans as contemplated in 42 CFR

section 423.780(f).

(B) "Covered outpatient drug" has the same meaning as that term is defined in section 1927(k) of the Social Security Act.

(C) "Creditable prescription drug coverage" means non-Medicare coverage as defined in 42 CFR section 423.56, where the actuarial value of that coverage equals or exceeds the actuarial value of defined standard prescription drug coverage under Medicare Part D in effect at the start of each plan year.

(D) "Department" means the Missouri Department of Social Services.

(E) "Prescription drug plan" or "PDP" means prescription drug coverage that is offered under a policy, contract, or plan that has been approved as specified in 42 CFR section 423.272 and that is offered by a PDP sponsor that has a contract with CMS that meets the contract requirements under subpart K of Part 423 of Title 42 of the *Code of Federal Regulations*.

(F) "Participant" means an individual under section 208.151.1(3), RSMo., who is receiving medical assistance by reason of receiving blind pension benefits and who is eligible for Medicare Part D as set forth in 42 CFR section 423.30, who is not otherwise eligible for Medicaid benefits under Title XIX of the Social Security Act.

(2) All participants shall receive prescription drug coverage through a benchmark plan unless they otherwise demonstrate to the department that they receive creditable prescription drug coverage.

(A) Participants shall be responsible for initial and subsequent enrollment in a benchmark plan as set forth in 42 CFR section 423.32.

(B) Participants shall provide the department with notice of enrollment in a benchmark plan by December 15th of each year. Notice of enrollment may be made in writing on a form made available by the department, or by phone, email, facsimile, or other commonly available electronic means, and shall include, at a minimum:

1. The participant's name, Departmental Client Number (DCN), and Medicare Health Insurance Claim (HIC) number; and

2. The name and Plan ID number of the benchmark plan.

(C) A participant may authorize the department to act on the participant's behalf to enroll him or her in a benchmark plan selected by the department by providing written authorization and any information necessary for the department to do so no later than the midpoint of the annual open enrollment period.

(D) Participants shall provide the department with written notice of disenrollment from a benchmark plan for any reason within fifteen (15) days of the participant receiving notice of disenrollment from the benchmark plan. A participant who voluntarily disenrolls from a benchmark plan and is not able to or elects not to reenroll in a benchmark plan shall be responsible for any late enrollment penalty that results from his or her voluntarily disenrollment.

(E) Participants receiving creditable prescription drug coverage shall notify the department in writing of such coverage with sufficient information to identify the entity providing creditable prescription drug coverage, including the participant's policy number and the insuring entity's name.

(F) A participant receiving creditable prescription drug coverage, who involuntarily loses such coverage, shall notify the department in writing or by phone, email, facsimile, or other commonly available electronic means of his or her loss of creditable prescription drug coverage within thirty (30) days of receiving notice of loss of creditable prescription drug coverage.

(3) The department shall notify a participant prior to the open enrollment period if the participant's PDP will not be considered a benchmark plan for the upcoming plan year. Participants affected by a change in benchmark plan status shall enroll in a benchmark plan for the upcoming plan year.

(A) Participants affected by a change in benchmark plan status shall notify the department by the midpoint of the annual open enrollment

period, in writing or by phone, email, facsimile, or other commonly available electronic means, of an intention to enroll in a benchmark plan.

(B) A participant may authorize the department to act on the participant's behalf to enroll him or her in a benchmark plan selected by the department as set out in subsection (2)(C) above.

(C) If a participant has not notified the department of an intention to enroll in a benchmark plan by the midpoint of the annual open enrollment period, the department may act on the participant's behalf to enroll him or her in a benchmark plan for the upcoming plan year. Participants so enrolled shall be notified promptly of the enrollment and—

1. The procedures by which the participant may disenroll from the benchmark plan and enroll in a different benchmark plan;
2. The existence of alternative benchmark plans; and
3. The manner in which the participant may change his or her enrollment to an alternative benchmark plan, or obtain assistance in doing so.

(4) The department shall pay all premiums, deductibles, copayments, and coinsurance associated with a participant's prescription drug coverage under his or her benchmark plan.

(A) The department may pay the prescription drug costs incurred by a participant for covered outpatient drugs that are not part of his or her benchmark plan's formulary or are obtained from a pharmacy that is not in his or her benchmark plan's network. Such payments will comply with the MO HealthNet Division's Pharmacy program set out in Chapter 20 of Division 70 of Title 13 of the *Code of State Regulations*.

(B) The department will not pay any costs associated with a participant's enrollment in a PDP that is not a benchmark plan.

(5) The procedures set forth in subpart M of Part 423 of Title 42 of the *Code of Federal Regulations* shall be the participant's exclusive remedies for grievances, coverage determinations, redeterminations, and reconsiderations regarding prescription drug coverage under this section, except that payment determinations made under subsection (4)(A) above shall be afforded administrative hearing rights under section 208.080, RSMo.

AUTHORITY: sections 207.020 and 209.010, RSMo 2000. Original rule filed Oct. 8, 2014.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions seventeen thousand eight hundred seventy-three dollars (\$17,873) in one- (1-) time costs, which are offset by \$3,875,000 savings in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Alyson Campbell, Family Support Division PO Box 2320 Jefferson City, MO 65102-2320. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: Department of Social Services
Division Title: Family Support Division (FSD)
Chapter Title: Blind Pension**

Rule Number and Name:	13.CSR 40-13.040 Blind Pension Prescription Drug Coverage
Type of Rulemaking:	Proposed Rulemaking

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
	\$17,873 one-time cost for FY15 is offset by \$3,875,000 savings to the blind pension medical pharmacy costs. One-time costs will be paid from current appropriation authority.

III. WORKSHEET

Currently, there are approximately 2,500 individuals receiving medical assistance by reason of receiving blind pension benefits who are eligible for Medicare Part D. The Department will have two mailings generated and sent to these individuals during the months of September and October. The first letter will inform and explain the steps they need to take to enroll in Medicare Part D plan. At a cost of \$0.41 per notice, the DSS would incur mailing costs of \$1,025. The second letter will request the participant to complete a form providing the DSS with information on the Medicare Part D benchmark plan chosen. This letter will be mailed with the final creditable coverage letter sent to blind participants so there is no additional cost. In the future the Medicare Part D enrollment mailing will take the place of the creditable cover mailing so there are not ongoing additional costs.

In addition to the postage costs, FSD will hire three temporary full-time staff at a Senior Office Assistant (Keyboarding) level to manage calls from individuals receiving letters. FSD anticipates these staff will work 13 weeks at 40 hours per week from September 22nd, 2014 through December 19th, 2014. Through the Statewide Contract, the hourly rate for a Senior Office Assistant (Keyboarding) through the Statewide Contract is \$10.80/hour for a cost of \$16,848 (3 Staff x 13 weeks x 40 hours a week x \$10.80). This is a one-time cost. FSD and MHD staff will perform these support functions in subsequent years.

The total cost is \$17,873 one-time.

The annualized savings to enroll blind pension participants who are enrolled in Medicare in a Medicare Part D benchmark plan is estimated at \$7,750,000. Estimated savings for FY 2015 are \$3,875,000. The savings is realized from prescription costs currently paid by General Revenue now being paid by a Medicare Part D benchmark plan.

IV. ASSUMPTIONS

Title 18—PUBLIC DEFENDER COMMISSION
Division 10—Office of State Public Defender
Chapter 4—Rule for the Acceptance of Cases and
Payment of Private Counsel Litigation Costs

PROPOSED RESCISSION

18 CSR 10-4.010 Rule for the Acceptance of Cases and Payment of Private Counsel Litigation Costs. This rule sought to ensure that cases assigned to the Missouri state public defender system resulted in representation that effectively protected the constitutional and statutory rights of the accused. This administrative rule applied to all cases for which the Missouri state public defender system was required to provide representation. This rule established a uniform procedure and a uniform protocol for determining when a local public defender office had exceeded its maximum caseload and a process to limit the availability of that office to take additional cases after consultation with the court. This rule established a uniform process to protect the constitutional rights of criminal defendants represented by private lawyers by authorizing the courts of Missouri to seek payment of litigation expenses from the state public defender. This administrative rule applied to all cases for which the courts of Missouri appointed private counsel under the public defender's protocol process and cases where the public defender contracted with private counsel.

PURPOSE: This rule is being rescinded because it has been nullified by the legislature by virtue of section 600.062, RSMo Supp. 2014.

AUTHORITY: sections 600.017(10), 600.086, and 600.090, RSMo 2000. Emergency rule filed Dec. 18, 2007, effective Dec. 28, 2007, expired June 30, 2008. Original rule filed Dec. 27, 2007, effective July 30, 2008. Rescinded: Filed Oct. 8, 2014.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Public Defender Commission, 1000 West Nifong, Building 7, Suite 100, Columbia, MO 65203. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 18—PUBLIC DEFENDER COMMISSION
Division 10—Office of State Public Defender
Chapter 4—Payment of Private Counsel Litigation Costs

PROPOSED RULE

18 CSR 10-4.010 Payment of Private Counsel Litigation Costs

PURPOSE: This rule provides a process for appointed, pro bono, and privately retained defense counsel representing indigent defendants in eligible criminal cases to request coverage of reasonable litigation expenses from the Office of the State Public Defender.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more

than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Definitions.

(A) Appointed counsel, for purposes of this rule, refers to attorneys who are neither in the employ of the Office of the State Public Defender nor contracted by the state public defender, who were appointed to an eligible criminal case in question by the court due to the unavailability of the public defender.

(B) Eligible criminal case means any case in which, but for private counsel's representation, an indigent defendant would be entitled to public defender services as set forth in section 600.042.3-4, RSMo Supp. 2014.

(C) Indigent defendant means a person who meets the indigence standards for public defender representation as set forth in section 600.086.1-3, RSMo Supp. 2014 and 18 CSR 10-3.010.

(D) Litigation expenses include, but are not limited to, the costs of investigation, depositions, expert witnesses and consultants, forensic tests or examinations, records, transcripts, et cetera, which are reasonably necessary for the presentation of a defense on behalf of, or testing of the state's case against, the indigent defendant. Attorney's fees and costs associated with support staff or office overhead do not constitute litigation expenses.

(E) Pro bono counsel, for purposes of this rule, refers to attorneys who are neither in the employ of the Office of the State Public Defender nor contracted by the state public defender, but agreed to provide defense representation for an indigent defendant in an eligible criminal case without pay.

(F) Privately retained defense counsel, for purposes of this rule, refers to attorneys who are neither in the employ of the Office of the State Public Defender nor contracted by the state public defender, who were hired by or on behalf of the defendant to provide defense representation in the case in question in return for an agreed upon fee.

(G) State public defender, for purposes of this rule, shall encompass both the director of the Office of the State Public Defender and his/her designee(s) to whom the responsibility and duties described herein have been assigned.

(2) Qualification of a Case for Public Defender Assistance with Litigation Expenses.

(A) Before specific requests for litigation expenses may be considered by the state public defender, 1) the state public defender must approve the case as qualified for litigation expense assistance from public defender funds and 2) litigation funds must be available.

(B) To qualify for litigation expense assistance—

1. Proof must be provided that the defendant is indigent and charged in an eligible criminal case. This shall be done through completion of the Application and Affidavit Requesting Public Defender Services and provision of a copy or list of all pending charges against the defendant;

2. If the defendant is represented by appointed counsel, a copy of the court's appointment is required. Upon provision of the appointment, charges, and proof of indigence, the case shall be qualified for litigation expense assistance, pursuant to section 600.064.4, RSMo;

3. If the defendant is represented by pro bono counsel, the attorney shall submit a statement that he/she is providing representation pro bono. Upon provision of this verification of pro bono status, the charges, and proof of indigence, the state public defender may qualify a case for litigation expense assistance when it is determined to be in the best interests of the Office of the State Public Defender to do so; and

4. If the defendant is represented by privately retained counsel, the attorney shall submit a statement detailing the fee agreement reached with the defendant, as well as a list of all fees and expense reimbursements paid to date by or on behalf of the defendant, and any litigation expenses already incurred. Upon provision of this fee information, the charges, and proof of indigence, the Office of the

State Public Defender may approve litigation expense assistance when it is determined to be in the interests of the Office of the State Public Defender to do so. In making this determination, the Office of the State Public Defender will take into account fees paid to contract counsel in similar cases. If the amount private counsel received in the instant case, less litigation expenses already paid by the private counsel, does not exceed what the Office of the State Public Defender would ordinarily pay in a similar case, or within the discretion of the Office of the State Public Defender does not significantly exceed that amount, and there is no reasonable expectation that private counsel will receive in excess of this amount from the client, the case may be eligible for litigation expenses.

(C) The Office of the State Public Defender shall make available all forms and information necessary to request approval of a case for litigation expense assistance on its website and upon request, and shall designate therein the name and contact information for the individual or department charged with reviewing and processing such requests.

(D) Upon a determination by the state public defender that a case is eligible for litigation expense assistance, the attorney providing representation shall be entitled to submit requests for reasonable litigation expenses on the defendant's behalf.

(3) Requests for Litigation Expenses in a Qualified Case.

(A) Each anticipated litigation expense for which public defender assistance is sought must be requested and approved in advance of any expense being incurred or service provided, in accordance with procedures established by the state public defender.

(B) All information provided to the Office of the State Public Defender pertaining to a litigation expense request shall have the same confidentiality protections applicable to cases handled by the Office of the State Public Defender.

(C) The state public defender shall have sole discretion in determining whether any request to provide litigation expenses from the public defender budget shall be approved or denied, along with any conditions and/or restrictions determined appropriate for expenditure of public defender funds.

(D) The state public defender shall develop procedures for the submission and payment of invoices for approved litigation expenses. Compliance with said procedures by the attorney, and by any service providers retained by the attorney pursuant to Missouri State Public Defender (MSPD) approval of a litigation expense request, is required in order to obtain payment.

(E) The state public defender retains the right to decline to pay costs incurred in excess of the amount approved. It shall be the responsibility of the attorney to ensure that any service providers retained pursuant to state public defender approval of a litigation expense request are informed of the maximum approved amount and of the need to seek additional approval before exceeding that amount.

AUTHORITY: sections 600.017(10), 600.042(8), 600.064.4, 600.086, and 600.090, RSMo 2000. Emergency rule filed Dec. 18, 2007, effective Dec. 28, 2007, expired June 30, 2008. Original rule filed Dec. 27, 2007, effective July 30, 2008. Rescinded and readopted: Filed Oct. 8, 2014.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Public Defender Commission, 1000 West Nifong, Building 7, Suite 100, Columbia, MO 65203. To be considered, comments must

be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2110—Missouri Dental Board
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Dental Board under section 332.031, RSMo 2000, the board amends a rule as follows:

20 CSR 2110-2.170 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2014 (39 MoReg 1385-1387). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2205—Missouri Board of Occupational Therapy
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Occupational

Therapy under section 324.074, RSMo 2000, and sections 324.065 and 324.068, RSMo Supp. 2014, the board amends a rule as follows:

20 CSR 2205-1.050 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2014 (39 MoReg 1388-1390). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 4—Fees Charged by the Board of Pharmacy**

ORDER OF RULEMAKING

By the authority vested in the State Board of Pharmacy under sections 338.020, 338.040, 338.060, 338.070, 338.185, 338.230, 338.270, 338.280, and 338.350, RSMo 2000, and sections 338.035, 338.140, 338.220, and 338.335, RSMo Supp. 2014, the board amends a rule as follows:

20 CSR 2220-4.010 General Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 15, 2014 (39 MoReg 1391-1393). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and
Transportation Commission
Chapter 25—Motor Carrier Operations**

IN ADDITION

**7 CSR 10-25.010 Skill Performance Evaluation Certificates for
Commercial Drivers**

PUBLIC NOTICE

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

SUMMARY: This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce because of impaired vision or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

DATES: Comments must be received at the address stated below, on or before, December 15, 2014.

ADDRESSES: You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- **Email:** kathy.hatfield@modot.mo.gov
- **Mail:** PO Box 270, Jefferson City, MO 65102-0270
- **Hand Delivery:** 830 MoDOT Drive, Jefferson City, MO 65109
- **Instructions:** All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- **Docket:** For access to the department's file, to read background documents or comments received, 830 MoDOT Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., CT, Monday through Friday, except state holidays.

FOR FURTHER INFORMATION CONTACT: Kathy J. Hatfield, Motor Carrier Investigations Specialist, (573) 526-9926, MoDOT Motor Carrier Services Division, PO Box 270, Jefferson City, MO 65102-0270. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

SUPPLEMENTARY INFORMATION:

Public Participation

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

Background

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, RSMo Supp. 2014, MoDOT may issue an SPE Certificate, for not more than a two- (2-) year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing an SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

Qualifications of Applicants

Application #187

Renewal Applicant's Name & Age: Christopher L. Woodward, 32

Relevant Physical Condition: Insulin-treated diabetes mellitus (ITDM). Mr. Woodward's best uncorrected visual acuity is 20/20 Snellen in the right eye and 20/25 Snellen in the left eye. Mr. Woodward was diagnosed with ITDM at the age of two (2).

Relevant Driving Experience: Mr. Woodward has approximately eleven (11) years of commercial motor vehicle experience. Mr. Woodward currently has a Class A CDL license. In addition he has experience driving personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in September 2014, a board-certified endocrinologist certified his condition would not adversely affect his ability to operate a commercial motor vehicle safely.

Traffic Accidents and Violations: Mr. Woodward has had no tickets or accidents on record for the previous three (3) years.

Request for Comments

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: October 15, 2014

Scott Marion, Motor Carrier Services Director, Missouri Department of Transportation.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities Review
Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for January 5, 2015. These applications are available for public inspection at the address shown below:

Date Filed

Project Number: Project Name
City (County)
Cost, Description

10/22/14

#5117 RS: Sunnyhill Independence Center
De Soto (Jefferson County)
\$1,442,669, Establish 33-bed ALF

10/24/14

#5088 RS: Carnegie Senior Living Community
Belton (Cass County)
\$396,318, Add 25 ALF beds

#5113 RS: Valley Park North
Fulton (Callaway County)
\$1,346,500, Establish 18-bed RCF

#5092 RS: Cedarhurst Assisted Living and Memory Care
St. Charles (St. Charles County)
\$16,000,000, Establish 99-bed ALF

#5106 DS: Winghaven Retirement
O'Fallon (St. Charles County)
\$28,019,000, Establish 80-bed SNF and 90-bed ALF

#5107 RS: Monett Assisted Living
Monett (Lawrence County)
\$6,500,000, Establish a 50-bed ALF

#5114 HS: Boone Hospital Center
Columbia (Boone County)
\$2,535,717, Acquire C-Arm Fluoroscopy

#5115 HS: Boone Hospital Center
Columbia (Boone County)
\$1,968,808, Acquire MRI Unit

#5116 HS: Christian Hospital
St. Louis (St. Louis County)
\$2,694,701, Acquire Hybrid Operating Room

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by November 24, 2014. All written requests and comments should be sent to—

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102

For additional information contact
Karla Houchins, (573) 751-6403.

STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is a list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body shall award a contract for public works to any contractor or subcontractor, or simulation thereof, during the time that such contractor or subcontractor's name appears on this state debarment list maintained by the Secretary of State. In addition, this list includes contractor(s) that have agreed to entry of an injunction permanently prohibiting them and any persons and entities related to them from engaging in, or having any involvement in, any business in Missouri.

Contractors Convicted of Violations of the Missouri Prevailing Wage Law

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
Urban Metropolitan Development, LLC Case No. 12AO-CR01752 (Jasper County Cir. Ct.)		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	08/08/2013	08/08/2013 to 08/08/2014

Contractors Agreeing to Permanent Prohibition from Engaging In, or Having Any Involvement In, Any Business in Missouri

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Injunction</u>	<u>Debarment Period</u>
Urban Metropolitan Development, LLC		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	09/27/2013	Permanent
Troy Langley		1101 Juniper St., Ste. 925 Atlanta, Georgia 30309	09/27/2013	Permanent

Dated this 17th day of March 2014.


John E. Lindsey, Division Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

**NOTICE TO UNKNOWN CREDITORS
OF
STAFFPOINT, LLC**

NOTICE IS HEREBY GIVEN that STAFFPOINT, LLC, a Missouri limited liability company (the "Company"), has been dissolved pursuant to Section 347.137 of the Missouri Limited Liability Company Act. This notice is given pursuant to Section 347.141 of the Missouri Limited Liability Company Act.

All unknown creditors of and claimants against the Company are required to present, by United States Postal Service or other means, to: Jacquie Morgan, 9201 Ward Parkway, Suite 200, Kansas City, Missouri 64114, all claims and demands which have arisen or which may arise against the Company. All claims and demands must be in writing and include: the name and address of the claimant(s); the amount claimed; the basis for the claim, including a detailed summary thereof; the date(s) on which the event(s) on which the claim is based occurred; and all documentation of the claim.

Any claim against the Company will be barred unless a proceeding to enforce such claim is commenced within two years after the date of publication of this notice.

This notice does not constitute recognition of the claim of any person receiving it; nor is it intended to, nor does it operate to recognize, revive or make valid claims barred by the lapse of time or for any other reason.

STAFFPOINT, LLC

Dated: October 2, 2014

**NOTICE OF WINDING UP AND DISSOLUTION OF LIMITED LIABILITY
COMPANY TO ALL CREDITORS OF AND CLAIMANTS AGAINST
COMMUNITY INVESTMENT GROUP, LLC**

Effective August 12, 2014, COMMUNITY INVESTMENT GROUP, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up and Articles of Termination with the Missouri Secretary of State. The Company requests that all persons and organizations who have claims against the Company present them immediately by letter to the Company's managing member, as follows: Director of LIHTC Asset Management, U.S. Bancorp Community Development Corporation, 1307 Washington Avenue, Suite 300, St. Louis, MO 63103. All claims **must** include the name and address of the claimant, the amount claimed, the basis for and a description of the claim, and include copies of any supporting documentation. Any and all claims against the Company will be barred unless a proceeding to enforce such claim is commenced within three (3) years after the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—37 (2012) and 38 (2013). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				37 MoReg 1859 38 MoReg 2053
1 CSR 10-4.010	Commissioner of Administration	39 MoReg 1637	39 MoReg 1658		
1 CSR 10-15.010	Commissioner of Administration	39 MoReg 1637	39 MoReg 1658		
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-10.010	Animal Health	39 MoReg 1559	39 MoReg 1568		
2 CSR 70-14.005	Plant Industries	39 MoReg 1638	39 MoReg 1735		
2 CSR 70-14.010	Plant Industries	39 MoReg 1639	39 MoReg 1735		
2 CSR 70-14.020	Plant Industries	39 MoReg 1640	39 MoReg 1736		
2 CSR 70-14.030	Plant Industries	39 MoReg 1641	39 MoReg 1739		
2 CSR 70-14.040	Plant Industries	39 MoReg 1642	39 MoReg 1742		
2 CSR 70-14.050	Plant Industries	39 MoReg 1643	39 MoReg 1744		
2 CSR 70-14.060	Plant Industries	39 MoReg 1643	39 MoReg 1744		
2 CSR 70-14.070	Plant Industries	39 MoReg 1644	39 MoReg 1744		
2 CSR 70-14.080	Plant Industries	39 MoReg 1644	39 MoReg 1744		
2 CSR 70-14.090	Plant Industries	39 MoReg 1645	39 MoReg 1745		
2 CSR 70-14.100	Plant Industries	39 MoReg 1646	39 MoReg 1748		
2 CSR 70-14.110	Plant Industries	39 MoReg 1648	39 MoReg 1751		
2 CSR 70-14.120	Plant Industries	39 MoReg 1648	39 MoReg 1753		
2 CSR 70-14.130	Plant Industries	39 MoReg 1649	39 MoReg 1755		
2 CSR 70-14.140	Plant Industries	39 MoReg 1650	39 MoReg 1757		
2 CSR 70-14.150	Plant Industries	39 MoReg 1651	39 MoReg 1759		
2 CSR 70-14.160	Plant Industries	39 MoReg 1651	39 MoReg 1761		
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2 CSR 70-14.010	Definitions39 MoReg 1639	Oct. 18, 2014 April 15, 2015
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2 CSR 70-14.050	Retention of the Application and Supporting Forms, Documents, Plan, and Other Information Submitted by the Applicant39 MoReg 1643	Oct. 18, 2014 April 15, 2015
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2 CSR 70-14.180	Revocation, Suspension, or Modification of a Cultivation and Production Facility License39 MoReg 1653	Oct. 18, 2014 April 15, 2015
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Executive Orders

Executive Orders	Subject Matter	Filed Date	Publication
2014			
14-13	Closes state offices Nov. 28, 2014.	Oct. 31, 2014	This Issue
14-12	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Activation Plan be activated.	Oct. 22, 2014	This Issue
14-11	Establishes the Office of Community Engagement.	Sept. 18, 2014	39 MoReg 1656
14-10	Terminates Executive Orders 14-08 and 14-09.	Sept. 3, 2014	39 MoReg 1613
14-09	Activates the state militia in response to civil unrest in the City of Ferguson and authorizes the superintendent of the Missouri State Highway Patrol to maintain peace and order.	Aug. 18, 2014	39 MoReg 1566
14-08	Declares a state of emergency exists in the state of Missouri and directs the Missouri State Highway Patrol to command all operations necessary in the city of Ferguson, further orders other law enforcement to assist the patrol when requested, and imposes a curfew.	Aug. 16, 2014	39 MoReg 1564
14-07	Establishes the Disparity Study Oversight Review Committee.	July 2, 2014	39 MoReg 1345
14-06	Orders that the Division of Energy develop a comprehensive State Energy Plan to chart a course toward a sustainable and prosperous energy future that will create jobs and improve Missourians' quality of life.	June 18, 2014	39 MoReg 1262
14-05	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 11, 2014	39 MoReg 1114
14-04	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	April 3, 2014	39 MoReg 1027
14-03	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	March 20, 2014	39 MoReg 958
14-02	Orders the Honor and Remember Flag be flown at the State Capitol each Armed Forces Day, held on the third Saturday of each May.	March 20, 2014	39 MoReg 956
14-01	Creates the Missouri Military Partnership to protect, retain, and enhance the Department of Defense activities in the state of Missouri.	Jan. 10, 2014	39 MoReg 491
2013			
13-14	Orders the Missouri Department of Revenue to follow sections 143.031.1 and 143.091, RSMo, and require all taxpayers who properly file a joint federal income tax return to file a combined state income tax return.	Nov. 14, 2013	38 MoReg 2085
13-13	Advises that state offices will be closed on Friday November 29, 2013.	Nov. 1, 2013	38 MoReg 1859
13-12	Activates the state militia in response to the heavy rains, flooding, and flash flooding that began on Aug. 2, 2013.	Aug. 7, 2013	38 MoReg 1459
13-11	Declares a state of emergency and activates the Missouri State Operation Plan due to heavy rains, flooding, and flash flooding.	Aug. 6, 2013	38 MoReg 1457
13-10	Declares a state of emergency exists in the state of Missouri and directs that the Missouri State Emergency Operations Plan be activated.	May 31, 2013	38 MoReg 1097
13-09	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies.	May 3, 2013	38 MoReg 879
13-08	Activates the state militia in response to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 823
13-07	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on April 16, 2013.	April 19, 2013	38 MoReg 821
13-06	Declares a state of emergency and activates the Missouri State Emergency Operations Plan in response to severe weather that began on April 10, 2013.	April 10, 2013	38 MoReg 753
13-05	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to severe weather that began on Feb. 20, 2013.	Feb. 21, 2013	38 MoReg 505

**Executive
Orders**

	Subject Matter	Filed Date	Publication
13-04	Expresses the commitment of the state of Missouri to the establishment of Western Governors University (WGU) as a non-profit institution of higher education located in Missouri that will provide enhanced access for Missourians to enroll in and complete on-line, competency-based higher education programs. Contemporaneously with this Executive Order, the state of Missouri is entering into a Memorandum of Understanding (MOU) with WGU to further memorialize and establish the partnership between the state of Missouri and WGU.	Feb. 15, 2013	38 MoReg 467
13-03	Orders the transfer of the Division of Energy from the Missouri Department of Natural Resources to the Missouri Department of Economic Development.	Feb. 4, 2013	38 MoReg 465
13-02	Orders the transfer of the post-issuance compliance functions for tax credit and job incentive programs from the Missouri Department of Economic Development to the Missouri Department of Revenue.	Feb. 4, 2013	38 MoReg 463
13-01	Orders the transfer of the Center for Emergency Response and Terrorism from the Department of Health and Senior Services to the Department of Public Safety.	Feb. 4, 2013	38 MoReg 461

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